

## STRIVES TO SEND THAW TO DEATH

### Jerome Offers Proof of Deliberation.

### ALSO THAT HE WAS RATIONAL

### White's Brother-in-Law Details Conversation.

### ALIBI FOR WHITE OFFERED

### Prosecutor Plays Strongest Card, Despite Delmas' Violent Opposition—Not Allowed to Attack Mrs. Thaw's Story.

NEW YORK, March 12.—The end of the Thaw trial at last seems to be in sight. Tentative plans for the final stages of the trial were agreed upon today by counsel, even to the detail of allotting the time for the summing up. District Attorney Jerome has at last burned behind him all bridges leading to a lunacy commission and is irrevocably pointing his course to proving that Thaw was sane when he shot Stanford White and that, being sane, his crime constituted murder in the first degree. Within three days or two weeks the case should be in the jury's hands.

### Jerome Plays Strongest Card.

Mr. Jerome played today probably the strongest card he holds—evidence which came to his knowledge but a few days ago and which undoubtedly caused him to abandon the idea of trying to send White's slayer to a mad house and to try for a straight out conviction under the criminal statutes. The evidence came from Mrs. Stanford White's brother, James C. Smith, who told a remarkably clear, succinct story of the events at Madison-Square Garden the night White was killed and of a long conversation he had with Thaw just before the shooting.

Mr. Delmas, for the defense, bitterly fought the introduction of this testimony for nearly two hours today, renewing his argument begun yesterday afternoon. He declared Mr. Smith was properly a witness in chief and should not be allowed to testify in rebuttal.

Mr. Jerome replied that he had known only for a few days the real value of Mr. Smith's testimony—the conversation with Thaw—and he appealed to the discretion of the court to allow the testimony to go in.

Justice Fitzgerald held that in the interest of justice the jury was entitled to all the facts. It was one of the most serious blows the judge had dealt the defense since the trial began.

### White's Photographer Testifies.

As the last witness of the day the District Attorney called Rudolph Eckmeyer, the photographer who took the pictures of Evelyn Nesbit Thaw which have been introduced in evidence. The photographer was employed by Stanford White. He had no sooner been sworn than it developed that Eckmeyer had also been employed by White to make the photographic copy of the affidavit Evelyn Nesbit is said to have made in Abraham Hummel's office. Mr. Eckmeyer admitted the negatives made from the affidavits, but they were not offered in evidence. Mr. Jerome next tried to get the photographer to fix the dates of certain pictures for which Evelyn Nesbit posed, hoping thus to establish the day she says she had the experience with Stanford White in the Twenty-fourth street house.

Mr. Delmas objected on the ground that the evidence tended to contradict Mrs. Thaw's story and was not permissible. Mr. Jerome said he desired to take advantage of the waiver Mr. Delmas had made at the beginning of the trial in regard to rebutting Mrs. Thaw's story.

### Offers to Disprove Studio Story.

"If you will let me fix the date of these pictures," he said heatedly, "I will show that on the night following the day they were taken, when Mrs. Thaw says she was ruined by White, she was not in the Twenty-fourth street house at all."

Mr. Jerome fairly shouted the last words and pounded the table before him. Mr. Delmas said he must stand upon his objection and it was sustained. He then moved that the District Attorney's "improper remarks, to which he has given much emphasis of voice and gesture," be stricken from the records.

Mr. Jerome retorted by asking the court to instruct the jury that the alleged ravishment or non-ravishment of Evelyn Nesbit had nothing to do with the case.

Justice Fitzgerald admonished the jurors to pay no attention to the remarks addressed to the court and to confine themselves strictly to the evidence.

### Beginning of End Today.

It was after this conflict that the agreement was as to the closing stages was reached. Mr. Jerome said he would introduce as witnesses tomorrow Abraham Hummel and his stenographer. Then he would conclude the state's case with the testimony of three experts—Drs. Austin Flint, Harold McDonald and William Mahon. It was agreed that after the defense has put in its case in sur-rebuttal each side shall have one clear day for the summing up. Then will follow the

charge of the court and the consideration of the evidence by the jury.

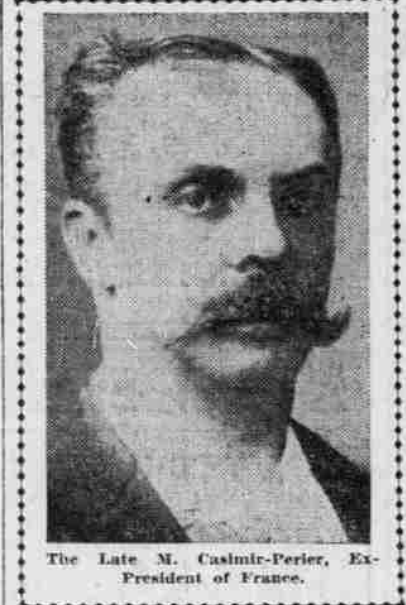
### SMITH'S STORY OF SHOOTING

#### White's Brother-in-Law Testifies After Long Argument.

NEW YORK, March 12.—J. C. Smith, a brother-in-law of Stanford White, was recalled to the stand today in the Thaw trial, when the argument as to the admissibility of his testimony was resumed. Mr. Delmas said that the matter was one of the greatest importance to the defendant and thought the defense was entitled to a fuller explanation of Mr. Jerome's grounds for his application.

Mr. Jerome said he was willing to go into the whole story and tell all the facts. "Mr. Hartridge and I have talked the matter over and I think we are in entire accord as to the main facts," he said. "When this matter is discussed in court," broke in Mr. Delmas, "it will be discussed with me."

"I don't know whether it will or not,"



The Late M. Casimir-Perier, Ex-President of France.

replied Mr. Jerome. "Mr. Hartridge is the attorney for the defense."

After a little sparring Mr. Delmas resumed his seat and Mr. Jerome began to detail all the facts regarding the delay in bringing Thaw to trial and the steps taken by both sides to secure an immediate trial and to obtain certain testimony by commission. Mr. Hartridge occasionally interrupted to correct the District Attorney in details of the story.

After completing the narration of what had happened between the time of the homicide and the trial, Mr. Jerome said: "I will now present to your honor the legal basis for my request."

### Another Sparring Match.

"I don't understand what the learned District Attorney means by legal basis," said Mr. Delmas; "his language is not clear."

Mr. Delmas will have to pardon my lack of experience and education and my inability to make myself clear in the English language," said Mr. Jerome. "By legal basis, I mean the statutes and the laws in the case."

"My understanding of the term is not the same," said Mr. Delmas, "and I see no reason for the District Attorney's petty sarcasm and loss of temper."

"Spoke more in sorrow than in anger," replied Mr. Jerome, and the argument ended in a general laugh.

Mr. Delmas, however, precipitated further conflict with the District Attorney by calling attention to the fact that Mr. Jerome had so definitely fixed the date of Smith's departure for Europe.

"I want to caution the District Attorney," continued Mr. Delmas.

"I need no caution, no information from the counsel," rejoined Mr. Jerome.

"No," said Mr. Delmas, "and I am not willing to undertake the arduous task of imparting any information to the learned District Attorney."

Mr. Delmas requested 15 minutes in order to confer with the associate counsel and the time was granted, and a recess was ordered.

### Can Prove First Degree Murder.

After the recess Mr. Delmas stated that subpoenas were issued from the District Attorney's office for witnesses first in October, then in November, and finally on December 3. This fact, Mr. Delmas declared, showed that the District At-

(Concluded on Page 4.)

## GREAT GRAFT IN IRRIGATION WORK

### Officials and Contractors Suspected.

### BOISE GRAND JURY TO INQUIRE

### Garfield Has Affidavits Involving the Guilty.

### POINTERS GIVEN FAVORITES

### Clique Which Stands in Buys Up Land to Be Irrigated—Commission on Machinery—Outside Contractors Frozen Out.

### GRAND JURY IS WAITING.

BOISE, Idaho, March 12.—(Special.)—The United States Grand Jury practically did nothing today. The members seem to be awaiting the arrival of witnesses. Nothing further has been learned respecting the plans of the Government to buy everything seems to point toward a thorough investigation of land matters in the Lewiston country. Numerous inspectors are here, but all are reticent, as are law officers. It is probable something will leak out when the witnesses begin to be examined, but only those here so far. Others are understood to be on their way from the North.

### BOISE, Idaho, March 12.—(Special.)

Evidence of graft in the arid land Reclamation Service of the Government has been discovered and is now in possession of the Department of the Interior at Washington. Action looking toward a number of indictments is anticipated. The principal evidence, so far as disclosed here, relates to grafts in Idaho, but it is said that similar conditions exist throughout the service and that officials in nearly all the Western states where irrigation work is in progress will have to answer. The Federal grand jury, now in session here, will probably take the matter up, so far as this state is affected, if the new Secretary of the Interior, James R. Garfield, signs the word, and decides to furnish the evidence now in his possession. Agents of the department have been conducting an investigation for some time. Their discoveries in Idaho are said to typify conditions in other places, and a reorganization of the department is said to be in prospect.

### Officials and Contractors Stand In.

The charges in general are that engineers and other officials of the department are "standing in" with favored contractors in some instances, and in other instances have thrown out bids in order to make commissions on the purchase of machinery by the Government and to profit in other ways.

In Idaho the Boise-Payette irrigation project has been under special scrutiny. Supervising Engineer D. W. Rose, and Consulting Engineer F. C. Horns are in direct charge of the work, reporting to superiors in Washington.

Evidence has been secured bearing on the relations of the contracting firm of Hubbard & Carlson, having headquarters at Boise, with certain department officials. It is charged in affidavits now on file that this firm has received many special favors and explanation has been jasked of the reason for this.

The affidavits now on file with the Secretary of the Interior also make

charges that certain persons have been favored with advance "inside" information as to irrigation projects, whereby they have been able to speculate on the land to be benefited.

One instance is cited wherein the Government engineers pretended to favor one prospect, giving out newspaper interviews to this effect, while the clique on the inside was picking up land which would be helped by another project. When the clique had secured the land it wanted, the Interior Department officials changed front and decided in favor of the other project. A life insurance company in one of the Middle States is declared to have profited \$125,000 by this transaction.

### Outside Contractors Harassed.

The affidavits deal with the harassing of contractors who were not "on the play," so as to freeze them out and give a monopoly to the elect who were favored by "extras" and in other ways. It is declared that capable and honest engineers who stood in the way of the grafts were removed or transferred where they would not prevent the carrying out of the schemes.

It is understood here that the work in Utah, Nevada and other Western states has been under investigation with general reference to commissions on purchase of machinery. In Idaho much evidence has been collected as to discriminations between various contractors. This evidence has been given to Washington.

### MAY INVOLVE PORTLAND MEN

Local Capitalists Have Advanced Money for Idaho Projects. LEWISTON, Idaho, March 12.—(Special.) (Concluded on Page 4.)

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- Commercial and Marine. Local wheat market advances. Page 17. Green bug scare spreads. Page 17. Wall street hopeful for good results from White House conference. Page 11. Steamers of Oceanic Steamship Company probably sold to Japanese. Page 16. Portland and Vicinity. Peter Garret, ex-newboy, shoots three men: Anton Grohs and James Higley, two of his victims, may be fatally injured. Page 10. Mrs. Almira C. Warren claims dower rights to Portland property worth \$500,000. Page 12. Mt. Hood Railway & Power Company will spend \$5,000,000 on power plants and electric railroad. Page 16. Columbia Southern Irrigating Company denies deceiving settlers. Page 16. Millhands plan to take first step today toward paralyzing lumber industry of Coast. Page 10. Lindgren murder case may go to jury today. Page 12. Company will be formed to manufacture cars on the Peninsula. Page 11.

## MAY BEGIN TRIAL BOSS RUEF TODAY

### Heney Confident Nothing Will Interfere

### PRISONER IS DENIED BAIL

### Elisor Biggy Keeps Closer Guard on His Charge.

### STOPS VISITS OF FRIENDS

### Nobody but His Counsel and Immediate Family Permitted to Visit Him—Lawyers Plead in Vain for More Liberties.

### SAN FRANCISCO, March 12.—If the expectation of Assistant District Attorney Heney is realized, the impaneling of a jury to try Abraham Ruef for extortion will begin in Judge Dunne's Department of the Superior Court tomorrow.

Ruef's application for bail was today refused by Judge Dunne, and his counsel then applied for this relief to the state Supreme Court asking there for a writ of habeas corpus. The Chief Justice, however, said late this evening to a representative of the Associated Press "that it is not at all likely that action will be taken in the matter before Thursday."

### Dunne Alone Can Cause Delay.

"I know of but one happening that could further delay the bringing of Ruef to trial before Judge Dunne," said Mr. Heney tonight.

"And that is a remote possibility. I mean that if Judge Dunne, after we have answered in court tomorrow morning the affidavits of bias and prejudice filed against him by the defense, should decide that the defense had made out its case and declare himself to be an unfair judge to try Ruef, then a change of trial judges would be granted and delay would ensue."

From the inception of this case freedom from bias and it would be unfortunate for the people and for justice if this were taken out of his hands by any turn of events."

An important move was made today by the prosecution. They served notice on the Supreme Court of the United States of a motion to docket and dismiss Ruef's appeal for a writ of error to prohibit Judge Dunne from any further hearing of the Ruef case under the five indictments returned by the grand jury. This appeal has not been preferred by Ruef's attorneys, who have sixty days in which to do so.

### Ruef More Closely Guarded.

The prosecution itself has perfected Ruef's appeal and today notified the Supreme Court at Washington that on March 25, Attorney F. McKenney of that city, will move the court to docket and dismiss the appeal on the ground that the record shows on its face that no Federal question is involved that it was done for the purpose of delay, solely.

It became known today that since the action of Judge DeHaven yesterday in the United States District Court, denying Ruef's application for admittance to bail by habeas corpus, and denying his right to appeal, Ruef has been much more closely and carefully guarded in the hotel by Elisor Biggy and his deputies. He is now allowed to see only his attorneys and his immediate family.

Shortly after the rendering of Judge

DeHaven's decision, the editor visited the office of Mr. Heney and informed him that he feared an attempt to rescue Ruef by force, and that he considered it would be the part of prudence to guard him more strongly.

### Fearing They Would Use Force.

"Would I be justified," asked Biggy, "in refusing to allow any one to see Ruef other than his attorneys and his immediate family?"

"I told him," said Mr. Heney, "that he certainly would be justified in taking that step and he took it."

"Last night, when the order had gone into effect, Attorneys Ach and Farrell, of Counsel for Ruef, hurried up Judge Dunne at one of the theaters and complained that Elisor Biggy would not allow Ruef to be seen."

"Won't he permit you, his attorneys, to see him?" questioned Judge Dunne.

"Yes," they replied, "Biggy says his counsel and the members of the family can come into the room, but he refuses entrance to everybody else. We'd like an order from you to the contrary."

"I cannot do anything for you, gentlemen," said Judge Dunne. "I approve the action of the elisor."

Mr. Heney stated to an Associated Press representative that Ruef would be removed from the comparatively luxurious quarters in the St. Francis "as soon as another place more suitable to the confinement of the prisoner can be furnished."

### WANT NO SUNDAY CLOSING

#### British Columbia Will Not Obey Dominion Blue Laws.

VICTORIA, B. C., March 12.—An early test has been made of the feeling of the British Columbia Legislature as to the advisability of enforcing in this province the Dominion of Canada Lord's Day Act, passed at the last session of the federal House. The opinion appears to be general that the local legislature will not agree that prosecutions under this statute would be opportune at the present juncture, or in accord with public feeling throughout British Columbia.

By the provisions of the act it becomes operative from the 1st of March instant. Full responsibility for enforcement is, however, evaded by the federal Parliament in a provision that no prosecutions under this new statute may be initiated without the concurrence of the Provincial Attorney-General.

Had the act not included the suppression of Sunday morning newspapers, it is altogether probable that enforcement would have followed its coming into force without practical opposition, and the attitude of organized labor, of numerous municipal bodies, and of the representatives of the mining, lumbering, smelting and transportation interests is strongly against enforcement.

### Sold Bronze Tablet for Junk.

NEW YORK, March 12.—Albert Bohman, 23 years old, was convicted yesterday in Queens County Court of stealing the bronze tablet from the Slocum monument, in the Lutheran cemetery, November 9, 1906. Three other youths are under arrest for complicity in the robbery. The testimony brought out yesterday was that the thieves stripped the tablet from the monument with a pick, buried it for the night and the next morning broke it into small bits and disguised it further with fire. They sold the fragments to a junkman for \$14.25.

## AMERICAN WORDS MADE AS NEEDED

### How They Enrich the English Language.

### UNCLE SAM MEAT INSPECTOR

### Tammany Name Given Imaginary Saint in Jest.

### SKEDADDLE AND SKIDOO

### "Twenty-three" Borrowed From Dickens—Elbridge Gerry Father of Gerrymander—Congressman Who Talked to Buncombe.

### BY FREDERIC J. HASKIN.

WASHINGTON, March 7.—(Special Correspondence.)—The manufacturing instinct of the American has not been confined to the material things of life. When he has needed a word, he has made it, just as he has inventively made other things that he wanted. Sometimes he grafted the bud of his thought on to some foreign stem, sometimes he took foreign words and acclimated them, and sometimes he evidenced a glorious amount of independence and made his words, as the world was made, "out of nothing."

Have you ever heard the reason why the American Government is called "Uncle Sam"? It was the head of Samuel Wilson, Government inspector of beef and pork at Troy, N. Y., in 1812, had a way of marking his barrels with his own initials and "U. S.," meaning United States. A workman who was something of a wag saw the letters, and facetiously remarked that he supposed they stood for "Uncle Sam." The joke was retold and retold until it became a common saying, and the General Government has been so nicknamed for nearly a hundred years.

Over a century ago the United States was also known to England and other foreign countries as "Brother Jonathan." Why? Because George Washington was very greatly influenced by the opinions of Jonathan Turnbull and had a way of saying, "Well, I must consult Brother Jonathan," before he made decisions. The term became local and then drifted to its general use.

### Tammany American Saint.

Tammany, the name adopted by a Democratic club in New York in 1871, had been used for nearly a hundred years. It was the anglicization of the name of wise old Tamane, an Indian chief who lived in Pennsylvania and whose name had been borrowed by Continental troops when they were casting about for an American saint to flout in the face of the British enemy who had "St. George" on their banners.

When the Pennsylvania troops acclaimed "St. Tamane," many other colonialists took it up and he appeared later in all American almanacs in the form of his canonization. A day was even set apart as "Indian Saint's Day." He was recognized in half jest as the "tutelar saint of the American colonies." The Virginia Gazette of May 9, 1774, contains an account of a celebration in honor of the fine old chief who afterwards lent his name to the political club that now immortalizes him.

"Skedaddle" was bequeathed to the American vocabulary by a war-correspondent from the London Times, who came over to report the Battle of Bull Run. He watched the very hurried and undignified manner in which the Union soldiers left the field, and applied to this rout the term "skedaddle." It was a catchy kind of word and, though its origin is traced to a dignified position in the old Irish Bible, it retains the popularity given it in its new meaning. An offshoot of this word is the now popular "skidoo."

### Origin of "Twenty-three."

The true story of the origin of the slang use of "twenty-three" is a classic, or at least a near-classic. It came from the works of Charles Dickens, in "The Tale of Two Cities" the hero takes the place of another man condemned to die under the guillotine of the guillotine. About the dreadful place sit terrible women, knitting a record of the number of lives sacrificed to the sharp blade. As Sidney Carton's head rolls from the knife to the basket, the women knit "twenty-three." Mr. Dickens makes a sentence, a paragraph, of that word with great dramatic effect.

When the story of the book was staged under the title "The Only Way," the actors took up the use of "twenty-three" to indicate that the story was done, that the play was over, that it was the end of things. The stagehands took it up, and after a while it was common property. Like many other bits of slang, it was in general use in the West for a year before Manhattan adopted it. Those who desire further information should read the last chapter of "The Tale of Two Cities."

Elbridge Gerry of Massachusetts re-districted the state to his own advantage in 1811 and, when some one looked at the new district and remarked that it looked for all the world like a salamander, someone else replied: "Better say a Gerry-mander." And so the name was born, and has been kept to represent all such political redistricting.

Borghese, a very corrupt gentleman

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